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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/649,510	08/25/2000	Mary Michelle Quinton	777.394US1	8272

23460 7590 07/23/2004

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EXAMINER

PHAN, RAYMOND NGAN

ART UNIT

PAPER NUMBER

2111

DATE MAILED: 07/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/649,510	<b>Applicant(s)</b> QUINTON, MARY MICHELLE	
	<b>Examiner</b> Raymond Phan	<b>Art Unit</b> 2111	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 April 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### **Part III DETAILED ACTION**

#### ***Notice to Applicant(s)***

1. This action is responsive to the following communications: amendment filed on April 26, 2004.
2. This application has been examined. Claims 1-50 are pending.

#### ***Specification***

3. The title of the invention is accepted.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1, 14, 32-39 are rejected under 35 U.S.C. § 102(e) as being anticipated by Mathis (US No 6,269,254).

In regard to claims 1, 14, 32, 35-39, Mathis discloses the method of plugging in a pluggable terminal comprising under direction of an application (see col. 17, line 4 through col. 18, line 33), wrapping the control method for a virtual (i.e. phone (see col. 13, lines 66-67) or non-virtual media (i.e. media file (col. 12, lines

62-67)) processing device control method to create a pluggable terminal (see col. 13, line 30 through col. 14, line 41) and making the pluggable terminal available to a TAPI application component (see col. 5, line 20 through col. 6, line 35).

In regard to claim 33, Mathis discloses the TSP component (i.e. JTAPI) for call control and for controlling communicating devices (see col. 12, lines 1-29); and MSP component (see col. 12, lines 62-67).

In regard to claim 34, Mathis discloses providing TAPI application component with a list of available terminals and for implementing terminals (see col. 13, line 20 through col. 14, line 41).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-13, 15-31, 40-50 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mathis in view of Porter (US No. 5,473,680).

In regard to claims 2, 13, 15-17, 30-32, Mathis discloses the claimed subject matter as discussed above except the teaching of creating the terminal object from the pluggable terminal upon initialization of the TAPI system; registering the pluggable terminal; discovering all available terminals, including the pluggable terminal; and sending a list of available terminals, including the pluggable terminal to the TAPI application component. However Porter discloses the creating the terminal object from the pluggable terminal upon initialization of the TAPI system (see col. 2, lines 17-24); registering the pluggable terminal (see col. 9, lines 19-53);

discovering all available terminals, including the pluggable terminal (see col. 9, lines 19-53); and sending a list of available terminals, including the pluggable terminal to the TAPI application component (see col. 29, line 16 through col. 30, line 17). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 3, 40, 50, Porter discloses the step of deriving the pluggable terminal from the terminal base class (see col. 5, line 53 through col. 6, line 14); providing a first interface for plugging into the TAPI system (see col. 7, lines 23-42); and providing a second interface including at least one media processing method for the TAPI application component (see col. 7, line 62 through col. 8, line 33). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 4, 21, 41, Porter discloses the at least one media processing method for processing media selected from the group consisting of audio, video, text, and graphics (see col. 7, lines 44-60). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 5, 22, 42, Porter discloses the at least one media processing method for processing media selected from the group consisting of modem transmission, facsimile transmission and telephony transmission (see col. 7, lines 44-60). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 6, 23, 43, Porter discloses the at least one media processing method for processing media selected from the group consisting of videoconferencing, application sharing, document sharing, collaborative computing transmissions (see col. 7, lines 44-60). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 7, 24, 44, Porter discloses the at least one media processing method for processing media selected from the group consisting of chat transmission, visual chat transmissions, IP Telephony transmissions, and IM transmissions (see col. 8, lines 34-40). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 8, 25, 45, Porter discloses the at least one media processing method for processing media selected from the group consisting of PSTN call, tone transmissions, speech transmissions, IP interactive voice response system transmissions, IP unified message system transmissions, and caller ID transmissions (see col. 8, lines 34-40). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 9, 26, 46, Porter discloses the at least one media processing method for processing media selected from the group consisting of music, movies, still pictures, and photographs (see col. 7, lines 44-60). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 10, 27, 47, Porter discloses the at least one media processing method for processing media selected from the group consisting of television transmissions, radio transmissions, cable transmission (see col. 8, lines 13-40). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 11, 28, 48, Porter discloses the at least one media processing method for processing media selected from the group consisting of



portable device communications, PDA, tablet transmissions (see col. 8, lines 28-40). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claims 12, 29, 49, Porter discloses the at least one media processing method for processing media selected from the group consisting of digital phone calls and cellular phone calls (see col. 8, lines 33-40). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claim 18, Mathis discloses the method of plugging in a pluggable terminal comprising wrapping the control method for a virtual (i.e. phone (see col. 13, lines 66-67)) or non-virtual media (i.e. media file (col. 12, lines 62-67)) processing device control method to create a pluggable terminal (see col. 13, line 30 through col. 14, line 41) and making the pluggable terminal available to a TAPI application component (see col. 5, line 20 through col. 6, line 35). But Mathis does not specifically disclose the unique ID for pluggable terminal; a set of media flow direction supported by the pluggable terminal and set of media types supported by the pluggable terminal. However Porter discloses the unique ID for pluggable terminal (see col. 8, lines 6-19); a set of media flow direction supported by the pluggable terminal (see col. 8, lines 12-26) and set of media types supported by the pluggable terminal (see col. 8, lines 20-26). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was

made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

In regard to claim 31, Porter discloses the method for triggering the events to the terminal manager component (see col. 15, lines 49-63). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Porter within the system of Mathis because it would allow efficient communications and management of resources used for multimedia, multiparty communications.

### ***Response to Arguments***

8. In view of remark filed on November 25, 1997, claims 5-10 have been fully considered but they are not deemed to be persuasive.

Applicant(s) argue that ...Mathis fails to teach use of pluggable terminal type created under the direction of an application... (page 13). The Examiner does not agree. Mathis discloses the application which creates the pluggable terminal type (see col. 17, line 4 through col. 18, line 33).

### ***Conclusion***

9. All claims are rejected.

10. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

**Swartz (US No. 6,445,694)** discloses an internet controlled telephone system.

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**Quinton et al. (US No. 6,754,313)** disclose an application programming interface for computer telephone sets.

**Gruia et al. (US No. 6,621,901)** disclose an optimal dynamic agent state assignment.

**Sato et al. (US No. 6,515,695)** disclose a terminal and system for multimedia communications.

**Szeto et al. (US No. 6,618,476)** disclose a line information secure interface for TAPI service provider.

**11. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

**12.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (703) 306-2756. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary, Paul Myers can be reached on (703) 305-9656 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 746-7239.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**Raymond Phan**  
7/15/04



**PAUL R. MYERS**  
PRIMARY EXAMINER